

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Mr. MARCUS MABLE, JR.

Civil No. 05-2364 (JNE/JJG)

Plaintiff,

v.

ORDER

TERRENCE E. CONKEL, MICHELLE
BARLEY, JESSICA SYMMS, MARK
THIELAND, BARB STOLTZ, JOE
DUROCHER, and MARK METZ,

Defendants.

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket Nos. 2 and 6), is **DENIED**;
2. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1);
3. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely the full \$250, in accordance with 28 U.S.C. § 1915(b)(2); and

4. The dismissal of this action is counted as a “strike” against Plaintiff for purposes of 28 U.S.C. § 1915(g).

Dated: January 4, 2006.

s/ Joan N. Ericksen
JOAN N. ERICKSEN
Judge, U.S. District Court